

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Rayco Traylor,

Civ. No. 24-4150 (PAM/JFD)

Plaintiff,

v.

ORDER

Witte, Correctional Officer – individual/official capacity; Chad Mecure, Correctional Lt./PREA Manager – individual capacity; Hill, Correctional Lieutenant – individual/official capacity; Alu Esson, Nurse – individual capacity; Johns/Jane Does, presently unknown to Plaintiff – individual capacity; Matthew Stanley – individual capacity; Alejo – individual capacity; Kamaldeen – individual capacity; Chris Pawelk, AWO – individual/official capacity; Captain Connors, AWA – individual/official capacity; Kathy Halvorson – Warden, individual/official capacity; MN DOC – individual capacity; Laura Kavitz – individual capacity; and The Nurse Supervisor at Health Services Administrator – individual capacity;

Defendants.

This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge John F. Docherty dated February 12, 2025. (Docket No. 7.) The R&R recommends dismissing several of Plaintiff’s claims for failure to state a claim upon which relief may be granted but allowing two to proceed: the excessive-force claims against Defendants Lts. Witte and Hills in their individual capacities and the failure-to-intervene claims against Defendants Lt. Hills and Ofc. Kamaldeen in their individual

capacities. Neither party filed objections to the R&R, and the time to do so has passed. D. Minn. L.R. 72.2(b)(1).

This Court must review de novo any portion of an R&R to which specific objections are made, but in the absence of objections, the Court reviews the R&R only for clear error. 28 U.S.C. § 636(b)(1); D. Minn. L.R. 72.2(b); see also Grinder v. Gammon, 73 F.3d 793, 795 (8th Cir. 1996) (noting that district court need only review un-objected-to R&R for clear error). The Court has reviewed the R&R and finds no error, clear or otherwise, in the Magistrate Judge's reasoning.

Accordingly, **IT IS HEREBY ORDERED that:**

1. The R&R (Docket No. 7) is **ADOPTED**; and
2. All of Plaintiff Rayco Taylor's claims in the Complaint (Docket No. 1) are **DISMISSED without prejudice** except for: (1) the excessive-force claims against Defendants Lt. Witte and Lt. Hills in their individual capacities and (2) the failure-to-intervene claims against Defendants Lt. Hills and Ofc. Kamaldeen in their individual capacities.

Dated: March 12, 2025

s/ Paul A. Magnuson

Paul A. Magnuson

United States District Court Judge